

UNSEALEDUnited States District Court
Southern District of Texas
FILED

JUN 25 2013

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION**

* 7-22-13
 ** 7-24-13
 *** 7-25-13
 *** 7-26-13
 ▲ -7-29-13
 ▲▲ 8-8-13
 ▲▲▲ 8-15-13

UNITED STATES OF AMERICA

v.

Criminal No.

M-13-994**SOSTENES FERREIRA-GARCIA**

Aka: FNU LNU 7/22/13 /lc

also known as "Sostenes"

** **BALDEMAR MONTALVO, JR.** aka: Baldeomar Montalvo

also known as "Balde" 7/24/13 /lc

also known as "Calzon"

* **DELFINO BAZAN**▲▲▲ **JOSE JAIR TABARES, JR.**

also known as "Chiquilin"

** **ENRIQUE MONTALVO*** **THOMAS GARCIA, JR.** aka: Thomas Garcia 7/24/13 /lc* **IVAN DEL JESUS CAMPOS-LANDA***** **DAVID MUNIZ**

also known as "Comino"

** **JOSE LUIS LOZANO**

also known as "Guicho"

▲▲ **MARIO ALBERTO MARTINEZ*** **EDMUNDO CANALES**

*** (SAMUEL ESPINO-MORALES < Aka) TRUE NAME: SALOMON ESPINOSA-MORIN

* **DAVID ULLOA CORREA** 7/24/13▲ **ROSENDO BENITEZ**** **JOSE PALACIOS, JR.*** **JOSE PALACIOS, SR.*** **ELEE CAMPOS CAMARGO**

also known as "Eli Camargo"

* **ALEJANDRINA MARTINEZ**

also known as "Alex"

SEALED INDICTMENT**THE GRAND JURY CHARGES:****Count One**

From on or about March 1, 2012 to on or about June 25, 2013, in the Southern District of Texas and elsewhere, and within the jurisdiction of the Court, defendants,

SOSTENES FERREIRA-GARCIA

Aka: FNU LNU

also known as "Sostenes"

BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo

also known as "Balde"

also known as "Calzon"

DELFINO BAZAN

JOSE JAIR TABARES, JR.

also known as "Chiquilin"

ENRIQUE MONTALVO

THOMAS GARCIA, JR. aka: Thomas Garcia

IVAN DEL JESUS CAMPOS-LANDA

MARIO ALBERTO MARTINEZ

EDMUNDO CANALES

SALOMON ESPINOSA-MORINA AKA: SAMUEL ESPINO-MORALES

DAVID ULLOA CORREA

ROSENDO BENITEZ

JOSE PALACIOS, JR.

JOSE PALACIOS, SR.

and

ELEE CAMPOS CAMARGO

also known as "Eli Camargo"

did knowingly and intentionally conspire and agree together with other person or persons known and unknown to the Grand Jurors, to knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

Count Two

From on or about March 1, 2012 to on or about June 25, 2013, in the Southern District of Texas and elsewhere, and within the jurisdiction of the Court, defendants,

BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo

also known as "Balde"

also known as "Calzon"

DELFINO BAZAN

JOSE JAIR TABARES, JR.

also known as "Chiquilin"

and
ALEJANDRINA MARTINEZ
also known as "Alex"

did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together with others known and unknown to the grand jury, to knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce which in fact involved the proceeds of a specified unlawful activity, that is, the distribution of controlled substances, in violation of Title 21, United States Code, knowing that the transaction was designed in whole or in part to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of the specified unlawful activity.

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and (h).

Count Three

On or about March 6, 2012, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

BALDEMAR MONTALVO , JR. aka: Baldemar Montalvo
also known as "Balde"
also known as "Calzon"
THOMAS GARCIA, JR. aka: Thomas Garcia
and
IVAN DEL JESUS CAMPOS-LANDA

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more, that is, approximately 444 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count Four

On or about April 27, 2012, in the Southern District of Texas, and within the jurisdiction of the Court, defendant,

**BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo
also known as “Balde”
also known as “Calzon”**

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more, that is, approximately 208 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count Five

On or about September 7, 2012, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

**BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo
also known as “Balde”
also known as “Calzon”
and
ENRIQUE MONTALVO**

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 50 kilograms or more, that is, approximately 89 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

Count Six

On or about November 15, 2012, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo
also known as “Balde”
also known as “Calzon”
DELFINO BAZAN
and
DAVID MUNIZ
also known as “Comino”

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was less than 50 kilograms, that is, approximately 15 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), and Title 18, United States Code, Section 2.

Count Seven

On or about November 16, 2012, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

DELFINO BAZAN
and
JOSE LUIS LOZANO
also known as “Guicho”

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was less than 50 kilograms, that is, approximately 14 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), and

Title 18, United States Code, Section 2.

Count Eight

On or about November 18, 2012, in the Southern District of Texas, and within the jurisdiction of the Court, defendant,

DELFINO BAZAN

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was less than 50 kilograms, that is, approximately 29 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D), and Title 18, United States Code, Section 2.

Count Nine

On or about February 5, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendant,

**BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo
also known as "Balde"
also known as "Calzon"**

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more, that is, approximately 103 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count Ten

On or about February 8, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendant,

SOSTENES FERREIRA-GARCIA
Aka: FNU LNU
also known as "Sostenes"

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 1,000 kilograms or more, that is, approximately 1,878 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Count Eleven

On or about February 19, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

SOSTENES FERREIRA-GARCIA
Aka: FNU LNU
also known as "Sostenes"
MARIO ALBERTO MARTINEZ
and
EDMUNDO CANALES

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more, that is, approximately 495 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count Twelve

On or about February 22, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

SOSTENES FERRERIA-GARCIA
Aka: FNU LNU
also known as "Sostenes"
and

SALOMON ESPINOSA-MORIN AKA: SAMUEL ESPINO-MORALES

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 1,000 kilograms or more, that is, approximately 1,959 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

Count Thirteen

On or about March 1, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

SOSTENES FERREIRA-GARCIA
Aka: FNU LNU
also known as "Sostenes"

BALDEMAR MONTALVO JR. aka: Baldemar Montalvo
also known as "Balde"
also known as "Calzon"
and

ENRIQUE MONTALVO

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more, that is, approximately 817 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and

Title 18, United States Code, Section 2.

Count Fourteen

On or about March 1, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

**DAVID ULLOA CORREA
and
ROSENDO BENITEZ**

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was more than 100 kilograms, that is, approximately 103 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count Fifteen

On or about March 6, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendants,

**DELFINO BAZAN
JOSE JAIR TABARES, JR.
also known as "Chiquilin"
JOSE PALACIOS, JR.
JOSE PALACIOS, SR.
and
ELEE CAMPOS CAMARGO
also known as "Eli Camargo"**

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more, that is, approximately 425 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

Count Sixteen

On or about March 20, 2013, in the Southern District of Texas, and within the jurisdiction of the Court, defendant,

SOSTENES FERRERIA-GARCIA
Aka: FNU LNU
also known as "Sostenes"

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 1,000 kilograms or more, that is, approximately 1,210 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

(Title 21, United States Code, Sections 841, 846, and 853)

1. The allegations contained in Counts 1 and 3-16 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.
2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841 or 846, defendants,

SOSTENES FERREIRA-GARCIA
Aka: FNU LNU
also known as "Sostenes"
BALDEMAR MONTALVO, JR. aka: Baldemar Montalvo
also known as "Balde"
also known as "Calzon"
DELFINO BAZAN
JOSE JAIR TABARES, JR.

also known as “Chiquilin”
ENRIQUE MONTALVO
THOMAS GARCIA, JR. aka: Thomas Garcia
IVAN DEL JESUS CAMPOS-LANDA
MARIO ALBERTO MARTINEZ
EDMUNDO CANALES
SAMUEL ESPINO-MORALES
DAVID ULLOA CORREA
ROSENDO BENITEZ
JOSE PALACIOS, JR.
JOSE PALACIOS, SR.
and
ELEE CAMPOS CAMARGO
also known as “Eli Camargo”

shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense[s] and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense[s].

NOTICE OF FORFEITURE

(Title 18, United States Code, Sections 982 and 1956(h))

1. The allegations contained in Count 2 of this Indictment is hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(1).
2. Pursuant to Title 18, United States Code, Section 982(a)(1), upon conviction of an offense in violation of Title 18, United States Code, Section 1956(h), the defendants,

BALDEMAR MONTALVO, JR. Aka: *Baldemar Montalvo*
also known as “Balde”
also known as “Calzon”
DELFINO BAZAN
JOSE JAIR TABARES, JR.
also known as “Chiquilin”
and
ALEJANDRINA MARTINEZ
also known as “Alex”

shall forfeit to the United States of America any property, real or personal, involved in such offense, and any property traceable to such property.

SUBSTITUTE ASSETS

If any property subject to forfeiture by Title 21, United States Code, Section 853(a) or Title 18, United States Code, Section 982, as a result of any act or omission of a defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to a third person or entity;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek the forfeiture of any and all other property of said defendants as substitute assets for the property whose forfeiture has been impeded for reasons (1), (2), (3), (4), or (5) described above.

A TRUE BILL

FOREPERSON

KENNETH MAGIDSON
UNITED STATES ATTORNEY



ASSISTANT UNITED STATES ATTORNEY